

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHNNY R. WOODRUFF,)	
)	
Plaintiff,)	4:07CV182
)	
v.)	
)	
CHARLES WEST, et al.,)	ORDER
)	
Defendants.)	
)	

IT IS ORDERED that:

1. Because Plaintiff paid the initial partial filing fee in this matter in accordance with the court's order, service of process on all defendants can now occur.
2. The Clerk of the court shall send six summons and six USM-285 forms to the plaintiff, together with a copy of this order.
3. The plaintiff shall, as soon as possible, send the completed summons and USM-285 forms back to the Clerk of the court. In the absence of the completed summons and USM-285 forms, service of process cannot occur. The plaintiff must provide an address for each party to be served. The U.S. Marshal and the court will not fill in a defendant's address on the forms.
4. Upon receipt of the completed summons and USM-285 forms, the Clerk of the court will sign each summons and forward it with a copy of the complaint to the U.S. Marshal for service of process. The court will copy the complaint for the Marshal, and the plaintiff does not need to do so. The Marshal shall serve each summons and complaint without payment of costs or fees. Service may be by

certified mail pursuant to Federal Rule of Civil Procedure 4 and Nebraska law in the discretion of the Marshal.

5. Fed. R. Civ. Pro. 4 requires service of the complaint on a defendant within 120 days of filing the complaint. However, because in this order the plaintiff is informed for the first time of these requirements, the plaintiff is granted, on the court's own motion, an extension of time until 120 days from the date of this order to complete service of process.

6. The plaintiff is hereby notified that failure to obtain service of process on a defendant within 120 days of the date of this order may result in dismissal of this matter without further notice as to such defendant.

7. After an appearance has been filed by a defendant, the plaintiff shall serve on the defendant or, if an appearance has been entered by counsel, upon such counsel, a copy of every future pleading, motion, or other document filed with the court. The plaintiff shall sign each document filed with the court and shall include a "Certificate of Service" stating the date a true and correct copy of such document was mailed to or otherwise served on a defendant or the attorney of a represented defendant. If the plaintiff does not sign the document or include a "Certificate of Service" showing that a copy was served on the other parties to the case, the court may strike the document from the record.

8. A defendant has twenty (20) days after receipt of the summons to answer or otherwise respond to a complaint.

9. The parties are bound by the Federal Rules of Civil Procedure and by the local rules of this court.

10. The plaintiff must keep the court informed of his current address at all times while this case is pending. Failure to do so may result in dismissal.

11. The clerk of the court shall set a pro se case management deadline of January 9, 2008, with the following text: "Deadline for return of summons by plaintiff."

September 12, 2007

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge